

REMARKS

Reconsideration and allowance of the above referenced application are respectfully requested.

Claim 17-21 stand rejected under 35 USC 112, second paragraph, as being indefinite. In response, the patent office's suggestion to change Claim 17 into a method claim has been adopted. The patent office is thanked for the helpful suggestion.

Claims 1-3, 6, 9, 10, 11, 13 and 16 are rejected over the 1994 Gharib article. Claims 4, 5, 7, 8, 12, 14 and 15 are rejected as being obvious over the Gharib article. In response, Claims 1-9 are canceled herein. The rejection of Claims 10-16 is respectfully traversed.

Claim 10 defines assessing progress of a valvular dysfunction using the differential formation number. The rejection correctly notes that Gharib's previous article does describe the formation number, which the article uses to characterize vortex formation. Page 35 of the article describes how this characterization can be used to assess volume efficiency.

Nowhere, however, is there any teaching, disclosure or suggestion of using the formation number to form a differential formation number indicative of the progress of the valvular dysfunction. With all due respect, therefore, it is

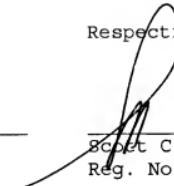
respectfully suggested that the Gharib article does not disclose or suggest the subject matter of Claim 10, nor the claims which depend therefrom.

Claims 17-21 are retained herewith, and are believed patentable by virtue of the indication of same in the official action.

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Applicant asks that all claims be allowed. No fee is believed to be due, however please apply any applicable charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,



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Date: November 14, 2006

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